

**REFERENCE: APPROVED MINUTES – August 18, 2005 Public Charter School Commission Meeting**

**PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, AUGUST 18, 2005  
AMERITEL INN – BOISE SPECTRUM  
ARROWROCK ROOM – NORTH  
7499 WEST OVERLAND ROAD  
BOISE, IDAHO**

A special meeting of the Idaho Public Charter School Commission was held on Thursday, August 18, 2005 at the Arrow Rock North Room in the AmeriTel Inn at 7499 West Overland Road, Boise, Idaho. Chairman Hammond presided. The following members were present:

Kirk Miller	Bill Goesling
Marianne Donnelly	Paul Powell

Commissioners Van Wart and Souza were absent.

Chairman Hammond called the meeting to order at 10:00 a.m.

**1. Commission Work**

**M/S (Powell/Goesling): To move to executive session pursuant to Idaho Code Section 67-2345(1) section b, d, and e. *The motion passed unanimously.***

**2. Rolling Hills Public Charter School**

Dr. Linda Clark, Superintendent of Joint School District # 2 in Meridian, presented concerns regarding the temporary location of Rolling Hills Public Charter School within the Meridian School District. She explained that as Compass Charter School had already been approved to open in the district during the 2005-2006 school year, the Rolling Hills location would constitute a violation of the state statute allowing only one charter school to be approved per district, per year.

Commissioner Miller asked Clark to delineate foreseen harms to the Meridian School district caused by Rolling Hills' temporary location within the district.

Dr. Clark cited no concerns about actual harm but noted that an exception to the law could create an undesirable precedent. She clarified that the number of students taken and the fiscal impact of their removal from the Boise and Meridian school districts would remain unchanged regardless of Rolling Hills' location.

Rolling Hills Board of Directors member Doug Barry explained that the Meridian site was a secondary backup choice, not intended as a permanent location. He said the primary backup location in Garden City was made unavailable by Garden City Planning and Zoning delays in consideration of their application.

Mr. Barry stated that an exception to the statute would not create a harmful precedent due to the unique lack of fiscal impact on the districts involved. He explained that inability to open Rolling Hills Charter School at the Meridian location would negatively impact students, contracted employees, and the charter school's budget.

Rolling Hills Public Charter School representative Matt Smith confirmed that on the delayed date of August 17, Garden City did grant a conditional use permit to Rolling Hills.

Commissioner Powell requested an explanation of the Rolling Hills Board's position regarding whether the Meridian location would violate Idaho law.

Mr. Barry stated that the law changed after the charter school's approval and that the temporary nature of the location in question would violate neither the intent of the law nor the conditions of the charter.

Commissioner Powell requested a description of the impact on Rolling Hills of a location change to Garden City.

Mr. Barry estimated that if required to move, the school would not be able to open until November and the additional cost would be approximately \$70,000. The result would be loss of students and devastation to the budget; also, the charter school would miss fall ISAT and IRI windows.

Commissioner Goesling inquired about the status of Rolling Hills' permanent site and backup plan should financing to occupy it become a problem.

Mr. Smith stated that Rolling Hills has obtained the necessary conditional use permit and only needs to get utilities to the permanent site. Readiness for opening on the permanent site by the beginning of the 2006-2007 school year would depend on financing. He described a backup plan to put portables on the permanent site or move to the Garden City site, now approved for three years of use.

Council Kent Nelson suggested that under Section 5209 of Title 33, the commission should explore a corrective action plan due to Rolling Hills' violation of charter parameters with regard to location. He stated the commission had no legal authority to make an exception to the law.

**M/S (Powell/Donnelly): To direct staff to issue a letter of defect to Rolling Hills Public Charter School and request a corrective action plan to relocate to the**

**Boise School District.**

**Amended Motion:** To require that a corrective action plan be submitted at the Charter Commission's September 1, 2005 meeting and that the plan include details of relocation by the start of the 2006-2007 school year.

**Substitute M/S (Miller/Powell):** To direct staff to issue a letter of defect to Rolling Hills Public Charter School and request a corrective action plan to be submitted at the Charter Commission's September 1, 2005 meeting. The plan will include details of relocation to the Boise School District by the start of the 2006-2007 school year. *The motion passed unanimously.*

Chairman Hammond adjourned the meeting at 11:00 a.m.

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